

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**DYNATEMP INTERNATIONAL,  
INC.; FLUOROFUSION SPECIALTY  
CHEMICALS, INC.; HAROLD B.  
KIVLAN, IV; WILLIAM GRESHAM;  
and DAVID COUCHOT,**

**Plaintiffs,**

**v.**

**R421A LLC; RMS OF GEORGIA, LLC  
d/b/a Choice Refrigerants; KENNETH  
M. PONDER; and LENZ SALES &  
DISTRIBUTING, INC.,**

**Defendants.**

**No. 5:20-CV-142-FL**

**DEFENDANTS' MOTION FOR CLARIFICATION/RECONSIDERATION OF  
AMENDED CLAIM CONSTRUCTION [DOC. 300]**

As more fully described in their accompanying Memorandum of Law in Support of their Motion for Clarification/Reconsideration of Amended Claim Construction, Defendants respectfully move the Court to reconsider its construction of the term “refrigerant gases”.

Defendants seek as relief a modification of the Court’s amended claim construction for the term “refrigerant gases” to be “refrigerant components that form part of the refrigerant composition”.

Respectfully submitted, this 20th day of October, 2023.

/s/ Joseph W. Staley

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*Counsel for Defendants RMS of Georgia LLC, R421A  
LLC, and Kenneth M. Ponder*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Civil Rule 7.2(f)(3), the undersigned counsel certifies that the foregoing DEFENDANTS' MOTION FOR CLARIFICATION/RECONSIDERATION OF AMENDED CLAIM CONSTRUCTION [DOC. 300] complies with the word limit set forth in Local Civil Rule 7.2(f)(3)(A). The total word count of this Motion and Memorandum is 3140.

Date: October 20, 2023.

/s/ Joseph W. Staley  
Joseph W. Staley  
Georgia Bar No. 142571

**CERTIFICATE OF SERVICE**

I hereby certify that, on the 20th day of October, 2023, the foregoing was filed using the Court's CM/ECF system, which will send notice to all counsel of record.

/s/ Joseph W. Staley

Joseph W. Staley  
*Attorney for Defendants RMS of  
Georgia LLC, R421A LLC, and  
Kenneth M. Ponder*